IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

CANDYCE JONES,)
Movant,))
V.)) No. 3:12-cv-599 \
UNITED STATES OF AMERICA,)) Judge Sharp `
Respondent.	<i>)</i>)

ORDER

On July 16, 2012, the Court entered an order denying movant Candyce Jones's motion for recusal. (ECF No. 7.) On July 23, 2012, the movant filed a Notice of Appeal from Order Denying Motion for Recusal (ECF No. 14). The Court construes this notice as a request for a certificate of appealability of the denial of the motion for recusal of the undersigned.

It is a "long-standing rule" of the Sixth Circuit Court of Appeals that "orders denying motions to disqualify a trial judge are fully reviewable after entry of final judgment and cannot be appealed immediately as an interlocutory appeal." *United States v. Wilson*, 919 F.2d 142 (Table), 1990 WL 183850, at *1 (6th Cir. Nov. 28, 1990) (citations omitted). The denial of the motion for recusal is neither a final appealable order, nor an appealable interlocutory or collateral order subject to appeal at this time.

The movant's request for a certificate of appealability (ECF No. 14) is therefore **DENIED**. The Court also finds that this appeal is not taken in good faith. The movant is given notice that, pursuant to Rule 11 of the Rules Governing § 2255 Proceedings, she may not proceed with her appeal on this issue unless she first obtains a certificate of appealability directly from the Sixth Circuit Court of Appeals. In addition, pursuant to Rule 24 of the Federal Rules of Appellate Procedure, to pursue her appeal she must either submit the \$455 appellate filing fee, or obtain a leave directly from the Sixth Circuit Court of Appeals to pursue her appeal as a pauper.

The Clerk is **DIRECTED** to forward a copy of the movant's notice of appeal and this order to the Sixth Circuit Court of Appeals.

It is so **ORDERED**.

Kevin H. Sharp
United States District Judge